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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

The Court has set May 1, 2013, as the date for a further status hearing or a change of plea in this matter. The government will be making plea offers and finalizing discovery in the next day, and the parties will be prepared for changes of plea or motions / trial setting in three weeks, on May 29, 2013.

The parties further request that time between these dates be excluded from any time limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

STIPULATION AND [PROPOSED] ORDER CHANGING HEARING DATE AND EXCLUDING TIME
CR 12-0406 MMC United States v. Johnny Ray Burton and Dawn McCann

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2 SO STIPULATED:
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MELINDA HAAG
United States Attorney

5 DATED: April 30, 2013
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/s/
KEVIN J. BARRY
Assistant United States Attorney

8 DATED: April 30, 2013
9

/s/
JULIA MEZHINSKY JAYNE
Attorney for JOHNNY RAY BURTON

10 DATED: April 30, 2013
11
12

/s/
GEORGE BOISSEAU
Attorney for DAWN MCCANN

13 [PROPOSED] ORDER

14 For the reasons stated above, the Court sets a change of plea or motions / trial setting date
15 for May 29, 2013. It also finds that exclusion from the time limits applicable under 18 U.S.C. §
16 3161 of the period from May 1, 2013 through May 29, 2013, is warranted and that the ends of
17 justice served by the continuance outweigh the best interests of the public and the defendant in a
18 speedy trial. 18 U.S.C. §3161(h)(7)(A). The failure to grant the requested exclusion of time
19 would deny counsel for the defendant and for the government the reasonable time necessary for
20 effective preparation, taking into account the exercise of due diligence, resulting in a miscarriage
21 of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

22 IT IS SO ORDERED.

23 DATED: April 30, 2013
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THE HONORABLE MAXINE M. CHESNEY
United States District Judge